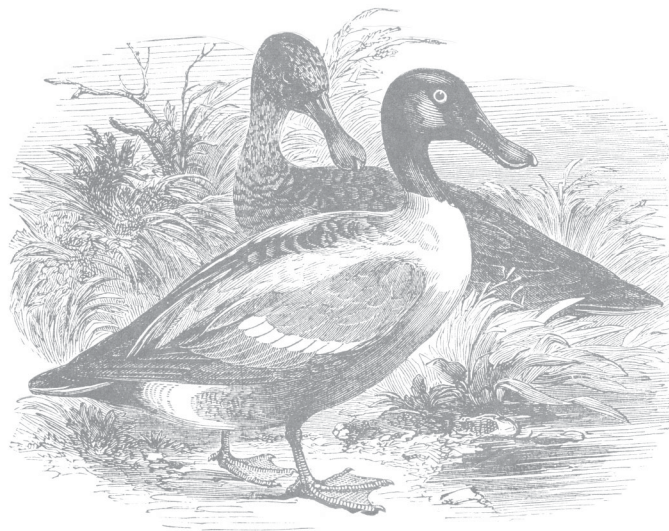


# **LAWS AND REGULATIONS**



## **LICENSED DOMESTICATED MIGRATORY GAME BIRD SHOOTING AREA**



STATE OF CALIFORNIA  
**DEPARTMENT OF FISH AND GAME**  
LICENSE AND REVENUE BRANCH  
3211 S STREET, SACRAMENTO, CA 95816



**Fish and Game Code - Article 4**  
**Licensed Domesticated Migratory Game**  
**Bird Shooting Area**

**3300. Raise and Release Domesticated Migratory Game Birds; License Required**

It is unlawful for any person to engage in the raising and re-releasing, or the releasing, of domesticated migratory game birds for shooting by persons who pay for that privilege, unless the person has a revocable nontransferable license issued by the department.

The licenses may be issued annually by the department and shall be valid from July 1 through the following June 30, upon payment of a base fee of eighty dollars (\$80), as adjusted under Section 713.

Any bird of a species included in the definition of migratory game birds, as defined in Section 3500, which has been held live in captivity is a "domesticated migratory game bird" for purposes of this section, except such a bird that has been released from captivity and any control before attaining six weeks of age.

**3301. Posting of Boundaries of Licensed Area**

The application for a license shall show the size and location of the area to be licensed. If an application is approved and a license is issued, the licensee shall post the boundaries of the licensed area with signs, at intervals of not more than 500 feet, which shall indicate that the area is licensed for the shooting of domesticated migratory game birds. Such signs shall be of a size not less than 12 by 18 inches.

**3302. Additional License Regulations; Revocation**

The commission may prescribe additional regulations deemed necessary for the releasing and shooting of domesticated migratory game birds and shall set the season and areas where such birds may be taken. If the licensee violates any of the provisions of this article or any regulations made pursuant thereto, the commission may cancel or revoke the license provided notice has been given to the licensee and he has been given an opportunity to be heard by the commission.

**3303. Proper and Adequate Care of Game Birds Required**

Where domesticated migratory game birds are reared or held for release by the licensee, the licensee shall provide proper and adequate care for the birds and shall raise and hold them only under sanitary conditions. Conditions for proper care and raising shall be prescribed by the commission. The licensee shall provide for the inspection of birds and facilities upon the request of the department.

**3304. Minimum Number of Birds Required per License Period**

The licensee shall raise or use a minimum of 500 birds during the annual license period.

**3305. Condition and Age Requirement of Game Birds at Time of Release**

All domesticated migratory game birds at time of release for shooting shall be at least 14 weeks of age, capable of strong and sustained flight, fully feathered, and otherwise in condition to survive in the wild. Birds that are altered in any manner which would, in the opinion of the department, render them incapable of normal sustained flight, or which are diseased, or show evidence of malnutrition or injury, shall not be released.

**3306. Shooting Requirements**

Shooting shall be confined to blinds, except for shooting necessary to recover a downed and injured bird, and not more than three shooters shall occupy or use each blind. Such blinds shall be constructed to prevent the shooting of domestic migratory game birds over water and to insure maximum safety to occupants of adjoining blinds.

The blinds shall be so situated that the occupants of the blinds cannot see the release site.

The licensee shall not permit any shooting within 500 feet of a point where the birds are released, nor shall any birds be taken within such distance from the point of release.

**3307. Killed or Injured Bird Retrieval; Retrieval Dog Availability**

All birds killed or injured by shooters shall be retrieved without delay, and all injured birds shall be humanely dispatched. The licensee shall not permit injured birds to remain on a pond or feeding area, nor shall he knowingly permit such birds to be used in any subsequent release.

In order to prevent the loss of any dead or injured birds, the licensee shall provide the use of a retrieving dog, without cost, to all shooters, except that shooters may provide their own retrieving dogs. The licensee shall not permit the shooting of any birds unless a retrieving dog is immediately available for use by all shooters.

**3308. Inspection Fee - Maximum**

Licensees shall pay the department an inspection fee not to exceed five cents (\$0.05) for each domesticated migratory game bird raised or used on a licensed area to insure proper adherence to these regulations.

**3309. Seal Attachment to Dead Birds**

No dead, domesticated migratory game bird shall be removed from the premises of a licensed area until there is securely attached to the carcass a seal, and such seal shall remain attached to the carcass until it is finally prepared for consumption. Each such seal shall be supplied by the department at a fee set by the commission not to exceed five cents (\$0.05).

**3310. Valid Hunting License Required**

It shall be unlawful for any person to shoot domesticated mi-

gratory game birds on a licensed area without having a valid hunting license as provided by Section 3031.

### **3311. Licensee - Must comply with Federal Laws and Regulations**

The licensee shall comply with all applicable federal laws or regulations relating to the releasing and shooting of domesticated migratory game birds.

## **Title 14, California Code of Regulations**

### **600.4. Licensed Domesticated Migratory Game Bird Shooting Areas.**

Pursuant to the provisions of Section 3300 of the Fish and Game Code, licenses to operate licensed domesticated migratory game bird shooting areas may be issued by the Department of Fish and Game on the following terms:

#### **(a) Application Requirements.**

(1) If the application indicates that the property upon which a licensed domesticated migratory game bird shooting area is to be operated does not belong to the applicant, he shall declare in the application that he has acquired from the landowner exclusive hunting rights on the said property during the license period. The department may at its discretion require the applicant to provide written verification that he has acquired such hunting rights.

(2) Application shall be made on forms supplied by the department.

(3) Applications shall be signed by the applicant. If the applicant is a corporation the application shall be signed by any one or more duly authorized officers of the corporation. If the applicant is a partnership, the application shall be signed in behalf of the partnership by any one or more of the general partners. If the applicant is a natural person, doing business under a fictitious name, the application shall be signed by such natural person accompanied by a statement of the fictitious name under which he is doing business.

(4) Appearance of Representative of Applicant. Whenever it appears to the commission, on information furnished by the department, that a licensee has not complied with all of the terms and conditions of his permit, no license shall be issued to such licensee for the following year unless he supports his application for renewal of his license by an appearance before the commission in person or by an authorized representative and presents evidence which, in the opinion of the commission, constitutes a justifiable excuse for his failure to satisfy the conditions of his permit during the preceding license year. Unless the commission is thus satisfied, no license shall be issued to the applicant for the period covered by the application.

(5) License Withdrawal. The department may, in its discretion upon written application by the licensee, allow the licensee to withdraw from his license. In the application the licensee shall state the reasons for his request. The license fee shall not be refunded once the license has been issued.

**(b) Suitability of Area for Use as Licensed Domesticated Migratory Game Bird Shooting Area.** No license for a licensed domesticated migratory game bird shooting area shall be issued until an investigation has been completed by the department and the department has determined that the property is suitable for the purpose of a licensed domesticated migratory game bird shooting area. The department shall base its determinations on whether or not the proposed shooting area will cause conflicts with wild migratory game bird hunting, that the establishment of the shooting area will be in the public interest, and that the operation of a licensed domesticated migratory game bird shooting area at the location specified in the application will not have a detrimental effect upon wild migratory game birds. In the event the license is refused by the department the applicant shall have the right of appeal to the Fish and Game Commission.

**(c) Signs.** Licensed domesticated migratory game bird shooting area signs shall be posted by the licensee as required by Section 3301 of the Fish and Game Code. Such signs shall be removed prior to September 15 of the succeeding year if no license is granted for that year.

#### **(d) Inspection of Licensed Premises and Domesticated Migratory Game Birds.**

(1) The premises where domesticated migratory game birds are held for the purpose of shooting shall be inspected by the Department of Fish and Game for health of birds and sanitation of facilities. Licensees shall pay the department an inspection fee of two cents (\$0.02) for each migratory game bird raised or imported for shooting purposes.

(2) Every person who brings or causes to be brought into this state live domestically reared migratory game birds for shooting purposes shall have such birds inspected for disease and health conditions at the point of origin by a licensed veterinarian. A certificate stating that the birds are disease free and signed by a licensed veterinarian, and endorsed by a federal veterinarian, will be forwarded to the Department of Fish and Game for each shipment of birds. Any shipment of birds not accompanied by a certificate of inspection shall be destroyed or returned to the place of origin by the importer at his sole cost and responsibility.

**(e) Shooting Season.** The season during which shooting shall be permitted shall be for the period September 1 through May 31.

**(f) Shooting Hours.** Shooting hours for taking domesticated migratory game birds on licensed areas shall be from one-half hour before sunrise to sunset.

**(g) Methods of Take. Domesticated migratory game birds may be taken on licensed areas only by the following equipment or methods:**

- (1) Shotguns 10 gauge or smaller using shotshells only and incapable of holding more than three shells in the magazine and chamber combined;
- (2) Muzzle-loading shotguns;
- (3) Falconry;
- (4) Long bow and arrow.

**(h) Reports and Records.** Licensees shall maintain on forms supplied by the department an up-to-date record of the number of domesticated migratory game birds taken and the number of hunters using the area. Such original record shall be submitted to the Department of Fish and Game, Wildlife Protection Branch, 1416 Ninth Street, Sacramento, California 95814, within ten (10) days after the close of each month during the shooting season, and the licensee shall retain a legible copy of such records. Such records shall be open to inspection at the area headquarters on shooting days, at the club headquarters or in the possession of the licensee or his agent during the balance of the shooting season, and at a location specified by the licensee for one year thereafter. Such records shall be open to the inspection at any time during these periods by authorized representatives of the department.

**(i) Seals on Birds Killed.**

(1) Seals, as required by Section 3309 of the Fish and Game Code, shall be affixed by the licensee or his agent to all domesticated migratory game birds taken on the licensed area before such birds are removed from the licensed area. Unused seals shall not be given to shooters. These seals shall be of a type approved by the Fish and Game Commission and shall be purchased at a cost of five cents (\$0.05) each prior to the taking of any domesticated migratory game birds on the license area.

(2) All seals must be accounted for by the licensee whenever requested by the department, and at the end of the domesticated migratory game bird shooting area season unused seals shall be returned to the department with the final report. There shall be a refund of money for all returned unused seals.

(3) Seals are not transferable and shall be used only on the licensed domesticated migratory game bird shooting area for which issued.

**(j) Posting of Laws and Regulations.** Each licensee shall post a complete copy of the licensed migratory game bird shooting area laws and regulations in the area headquarters where they may be read by any person using the facilities of the area. An appropriate copy of the laws and regulations will be furnished to each licensee by the department.

#### NOTE

Authority cited: Sections 200, 202, 219, 355, 356, 3000, 3302 and 3303, Fish and Game Code. Reference: Sections 200, 202, 219, 355, 356, 3000, 3300-3311 and 3500, Fish and Game Code.

#### HISTORY

1. New section filed 11-4-70 as an emergency; effective upon filing (Register 70, No. 45).
2. Certificate of Compliance--Sec. 11422.1, Gov. Code, filed 1-26-70 (Register 71, No. 5).
3. Amendment of NOTE filed 7-16-81; effective thirtieth day thereafter (Register 81, No. 29).
4. Editorial correction of NOTE filed 9-20-85; effective thirtieth day thereafter (Register 85, No. 38).
5. New subsection (k) filed 10-19-87; operative 10-19-87 (Register 87, No. 43).
6. Amendment of subsection (b) filed 11-5-93; operative 11-5-93.
7. Changes without regulatory effect amending subsections (g) and (k)(5) filed 3-28-96 pursuant to section 100, Title 1, California Code of Regulations.
8. Repeal of subsection (k) filed 9-23-96; operative 9-23-96.